

1. This Court **FINDS** it has jurisdiction over the subject matter of this case and jurisdiction over the parties, and venue in the District Court is proper. Tex. Alco. Bev. Code §§101.01, 101.70.

2. The Court finds that issuance of a temporary restraining order is necessary to prevent the threatened or ongoing violations of the Texas Alcoholic Beverage Code at the club on the *in rem* property known as the 9275 RICHMOND, SUITES 101, 105, AND 150, HOUSTON, TEXAS 77063 (the “Property”). Tex. Alco. Bev. Code §101.01. Further, issuance of a temporary restraining order is necessary to protect the welfare, health, peace, temperance, and safety of the people of the State of Texas. Tex. Alco. Bev. Code §1.03. The affidavit and evidence in support of Plaintiff’s Application demonstrate the agents, assigns, tenants, or successors in interest of the Defendants are violating or about to violate the Texas Alcoholic Beverage Code and therefore a temporary restraining order is necessary to prevent threatened or further violations. Tex. Alco. Bev. Code §101.01(a)

3. Plaintiff is not required to post a bond in support of its Application for Temporary Restraining Order. Tex. Alco. Bev. Code §101.70(c).

4. Plaintiff provided Defendants with notice of the hearing by telephone on Plaintiff’s Application for Temporary Restraining Order. The Court finds that issuance of a temporary restraining order without a hearing is necessary to prevent the threatened or ongoing violations of the Texas Alcoholic Beverage Code. Tex. Alco. Bev. Code §101.01(b).

II.

IT IS ORDERED that Defendants and their officers, agents, servants, employees, and any other person or entity in active concert or participation with them, including their tenants, successors in interest, and assigns—whether acting directly or through any corporation,

company, partnership, trust, entity, subsidiary, division, or other device—who receive actual notice of this Order by personal service or otherwise, are hereby prohibited from the following

- (a) Failing to take all reasonable steps necessary to close immediately the establishment or establishments located at 9275 RICHMOND, SUITES 101, 105, AND 150, HOUSTON, TEXAS 77063, including changing the locks, and for it to remain closed to the public until a valid license is obtained to sell alcohol from the Texas Alcoholic Beverage Commission for this location or until further order of this Court;
- (b) Leasing or allowing any person or entity to use space on the Property for purposes of operating an establishment that sells or serves alcohol without a valid license from the Texas Alcoholic Beverage Commission for the location;
- (c) Leasing or allowing any person or entity to use space on the Property for purposes of operating an establishment that permits patrons to consume alcohol during any time between 2 a.m. and noon on Sundays or between 2 a.m. and 7 a.m. on any other day of the week in violation of Texas Alcoholic Beverage Code, §105.06.
- (d) Failing to cooperate and follow all instructions of law enforcement officers in the execution of this Temporary Restraining Order.

III.

IT IS FURTHER ORDERED that law enforcement officers may assist in effecting the closure of the establishment or establishments at 9275 RICHMOND, SUITES 101, 105, AND 150, HOUSTON, TEXAS 77063 in accordance with the terms of this Temporary Restraining Order.

IT IS ORDERED that Defendants in this cause be and hereby are commanded forthwith to comply with this Order from the date of entry until and to the fourteenth (14th) day after entry or until further order of this Court.

The Clerk of the above-entitled Court shall forthwith issue a Temporary Restraining Order in conformity with the law and the terms of this Order.

This Order shall be effective without the execution and filing of a bond because Plaintiff is not required to post a bond in support of its Application for Temporary Restraining Order. Tex. Alco. Bev. Code §101.70(c).

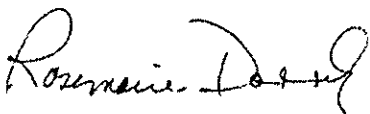
A temporary injunction hearing is set for October 6 2017 at 11 o'clock, A.m. Defendants are hereby ordered to appear at the date and time set for the temporary injunction unless otherwise ordered by the Court.

Signed this 28th day of Sep, 2017 at 2:45 o'clock, P.m.



JUDGE PRESIDING

Entry requested:



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